

COLLIER SHANNON SCOTT PLAC DOCKET NO. 61277-60065

**DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION\***

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

**BURNER**

and for which a patent application:

[X] was filed in the United States on October 10, 2003 as Application No. 10/682,203

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION				
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED	
102 47 955.0	Germany	12 October 2002	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
			YES <input type="checkbox"/>	NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

PROVISIONAL APPLICATION NUMBER	FILING DATE

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

NON-PROVISIONAL APPLICATION SERIAL NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED

\* for use only when the application is assigned to a company, partnership or other organization.

COLLIER SHANNON SCOTT PLLC DOCKET NO. 61277-60005

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2 0 1	FULL NAME OF INVENTOR	LAST NAME STALDER	FIRST NAME Marcel	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Klingnau	STATE OR FOREIGN COUNTRY Switzerland	COUNTRY OF CITIZENSHIP Switzerland	
	POST OFFICE ADDRESS	STREET Brühlstrasse 21	CITY Klingnau	STATE OR COUNTRY Switzerland	ZIP-CODE CH-5313
	SIGNATURE OF INVENTOR 201 <i>Marcel Stalder</i>			DATE 12. Jan. 2005	
2 0 2	FULL NAME OF INVENTOR	LAST NAME TOQAN	FIRST NAME Majed	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Zürich	STATE OR FOREIGN COUNTRY Switzerland	COUNTRY OF CITIZENSHIP United States	
	POST OFFICE ADDRESS	STREET Etzelstrasse 55	CITY Zürich	STATE OR COUNTRY Switzerland	ZIP-CODE CH-8038
	SIGNATURE OF INVENTOR 202			DATE	
2 0 3	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP-CODE
	SIGNATURE OF INVENTOR 203			DATE	
2 0 4	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP-CODE
	SIGNATURE OF INVENTOR 204			DATE	
2 0 5	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP-CODE
	SIGNATURE OF INVENTOR 205			DATE	

COLLIER SHANNON SCOTT MAC DOCKET NO. 61277-60005

## DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION\*

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

BURNER

and for which a patent application:

[X] was filed in the United States on October 10, 2003 as Application No. 10/682,203

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102 47 955.0	Germany	12 October 2002	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
			YES <input type="checkbox"/>	NO <input type="checkbox"/>

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PROVISIONAL APPLICATION NUMBER	FILING DATE

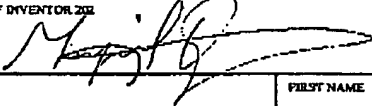
I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

NON-PROVISIONAL APPLICATION SERIAL NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED

\* for use only when the application is assigned to a company, partnership or other organization.

COLLIER SHANNON SCOTT PLLC DOCKET NO. 61277-60005

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

201	FULL NAME OF INVENTOR	LAST NAME STALDER	FIRST NAME Marcel	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY Klingnau	STATE OR FOREIGN COUNTRY Switzerland	COUNTRY OF CITIZENSHIP Switzerland
	POST OFFICE ADDRESS	STREET Brühlstrasse 21	CITY Klingnau	STATE OR COUNTRY Switzerland
	SIGNATURE OF INVENTOR 201			DATE CH-5313
202	FULL NAME OF INVENTOR	LAST NAME TOQAN	FIRST NAME Majed	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY Zürich	STATE OR FOREIGN COUNTRY Switzerland	COUNTRY OF CITIZENSHIP United States
	POST OFFICE ADDRESS	STREET Etzelstrasse 55	CITY Zürich	STATE OR COUNTRY Switzerland
	SIGNATURE OF INVENTOR 202 			DATE 6/1/2005
203	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY
	SIGNATURE OF INVENTOR 203			DATE
204	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY
	SIGNATURE OF INVENTOR 204			DATE
205	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY
	SIGNATURE OF INVENTOR 205			DATE

(2)

MAY 27 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Marcel STALDER *et al.*

Confirmation No.: 1265

Application No.: 10/682,203

Art Unit: 3749

Filed: October 10, 2003

Examiner: Gravini, S.

For: BURNER

Attorney Docket No.: 61277-0005

**CHANGE OF CORRESPONDENCE ADDRESS FOR APPLICATION AND  
SUBMISSION OF REVOCATION AND POWER OF ATTORNEY**Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

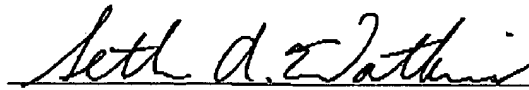
Attached hereto is a Revocation and Power of Attorney by Assignee executed by the assignee of the entire right, title, and interest in the above-identified patent application.

A copy of the Assignment is attached to the Revocation and Power of Attorney.

As stated in the Revocation and Power of Attorney, please change the correspondence address for this application to customer no. 27890 and direct all communications to **STEPTOE & JOHNSON LLP**, 1330 Connecticut Avenue, NW, Washington, DC 20036-1795, Telephone (202) 429-3000.

Date: May 27, 2005

Respectfully Submitted,



Seth A. Watkins

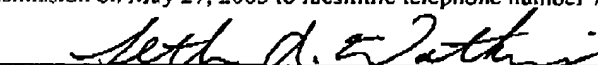
Reg. No. 47,169

**STEPTOE & JOHNSON LLP**  
1330 Connecticut Avenue, NW  
Washington, D.C. 20036-1795  
(202) 429-3000

Enclosures

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being filed with the United States Patent and Trademark Office by facsimile transmission on May 27, 2005 to facsimile telephone number 703-872-9306.

  
Seth A. Watkins

Reg. No. 47,169

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Marcel STALDER *et al* Confirmation No.: 1265  
Serial No.: 10/682,203 Art Unit: 3749  
Filed: October 10, 2003 Examiner: Gravini, S.  
For: BURNER Attorney Docket No.: 61277-0005

**REVOCATION AND POWER OF ATTORNEY BY ASSIGNEE  
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71  
WITH STATEMENT UNDER 37 C.F.R. 3.73(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned assignee of the entire right, title and interest in, to and under the invention described and claimed in the above-identified patent application hereby revokes all previous powers of attorney and hereby appoints the practitioners associated with USPTO Customer No.

**27890**  
PATENT TRADEMARK OFFICE

with full power of substitution and revocation, to prosecute the application and to transact all business in the United States Patent and Trademark Office connected therewith. Please direct all correspondence regarding the application to USPTO Customer No. 27890 as follows:

Steptoe & Johnson LLP  
1330 Connecticut Avenue, NW  
Washington, DC 20036-1795  
Tel. 202-429-3000

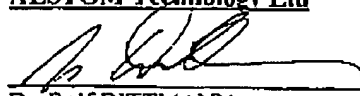
Said appointment is to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. 3.71, and provided that, if any one of these attorneys ceases being affiliated with the law firm of Steptoe & Johnson LLP as partner, counsel, associate, or employee, then the appointment of that attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

**Statement Under 37 C.F.R. 3.73(b)**

ALSTOM Technology Ltd states that it is the assignee of the entire right, title, and interest in the patent application/patent identified above by virtue of an assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded by the USPTO on March 15, 2004 at Reel 015081, Frame 0701. A nunc pro tunc Assignment to the present assignee also was recorded by the USPTO on March 15, 2004 at Reel 015081, Frame 0691. Copies of the assignments are attached hereto. The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

ASSIGNEE: ALSTOM Technology Ltd

Date: 2

Signature:   
Typed Name: Dr. Rolf DITTMANN  
Position/Title: Authorized Representative  
Address: Brown Boveri Str. 7/699/5  
CH-5401 Baden  
Switzerland

B02/066-0 US

B02/066-0 US

**ASSIGNMENT****WHEREAS, WE,**

**Marcel STALDER**, a citizen of Switzerland residing at Brühlstrasse 21, CH-5313 Klingnau, Switzerland; and

**Majed TOQAN**, residing at Etzelstrasse 55, CH-8038 Zürich, Switzerland,

**ASSIGNORS**, are the inventors of the invention in **BURNER** for which we have executed an application for a Patent of the United States

- ☒ which was executed on even date herewith
- ☒ which is identified by Pennie & Edmonds LLP docket no. 11277-005
- ☒ which was filed in the United States on October 10, 2003 as Application No. 10/682,203

**WHEREAS, ALSTOM (Switzerland) Ltd.**, a company of Switzerland having a place of business at Brown Boveri Str. 7/699/5, CH-5401 Baden, Switzerland, **ASSIGNEE**, is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

**NOW, THEREFORE**, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said **ASSIGNORS**, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said **ASSIGNEE**, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof;

**AND WE HEREBY** authorize and request the Commissioner of Patents and Trademarks of the United States, to issue the same to the said **ASSIGNEE**, its successors, legal representatives and assigns, in accordance with the terms of this instrument;

**AND WE HEREBY** covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith;

**AND WE HEREBY** further covenant and agree that we will communicate to the said **ASSIGNEE**, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, and reissue applications, make all rightful oaths, and generally do everything possible to aid the said **ASSIGNEE**, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention.

IN WITNESS WHEREOF, the undersigned inventors have affixed their signatures.

2003-11-12  
Date

Marcel Stalder  
Marcel STALDER

On this 12 day of November, 2003, before me appeared **Marcel STALDER**, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and acknowledged the same to be his free act and deed.

2003-11-13  
Date

A. Fabian  
Witness  
Anett FABIAN

2003-11-13  
Date

Majed Toqan  
Majed TOQAN

On this 13 day of November, 2003, before me appeared **Majed TOQAN**, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and acknowledged the same to be his free act and deed.

2003-11-13  
Date

A. Fabian  
Witness  
Anett FABIAN



Atty. Docket No.  
Our Reference61277-60005  
B02/066-0 US**ASSIGNMENT**

THIS ASSIGNMENT is effective as of the first day of November 2003.

WHEREAS, **ALSTOM (Switzerland) Ltd, (assignor)**, a Swiss corporation, having its principal place of business at Brown Boveri Strasse 7, CH-5400 Baden, Switzerland is the record owner of United States Patent application No. 10/682,203, filed October 10, 2003 and entitled BURNER, and

WHEREAS, certain assets including United States Patent application No. 10/682,203 were duly assigned and transferred by the said **ALSTOM (Switzerland) Ltd** to **ALSTOM Technology Ltd, (assignee)**, a Swiss corporation, having its principal place of business at Brown Boveri Strasse 7, CH-5400 Baden, Switzerland; and

WHEREAS, the parties desire to record this instrument in the United States Patent and Trademark Office attesting to the assignment of said United States Patent application;

NOW, THEREFORE, for good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, **ALSTOM (Switzerland) Ltd** acknowledges that it has sold, assigned and transferred, nunc pro tunc as of November 1, 2003, to **ALSTOM Technology Ltd** the entire right, title and interest in and to the said Patent application, including any reissues, re-examined patents, continuations and divisions of said Patent application, said Patent application to be held and enjoyed by **ALSTOM Technology Ltd** for its own use and for the use of its legal representatives, successors and assigns, to the full end of the term for which the said Patent is granted, as fully and entirely as the same would have been held by **ALSTOM (Switzerland) Ltd** had this assignment not been made, together with all claims for past infringement of said Patent application and with the right to sue for and to collect damages for such infringement.

Date: February 24, 2004

G. Bolis  
Name: Giacomo Bolis  
Title: Authorized Representative  
Company: ALSTOM (Switzerland) Ltd